

REMARKS

Applicants wish to thank Examiner Milord for discussing the outstanding Office Action with Applicant's representative during telephone conversations on the 21st and 22nd of February, 2005. During the conversations, the Examiner indicated that the Office Action included a typographical error. The Office Action rejected claims 1-36 under the judicially created doctrine of obviousness-type double patenting, but incorrectly rejected the claims as being unpatentable over claims of U.S. Patent No. 6,452,923. Instead, it was the Examiner's intention that the claims were rejected over claims of U.S. Patent No. 6,813,488.

Therefore, claims 1-36 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 9-11, 21, 30, and 35 of U.S. Patent No. 6,813,488. In response to the double patenting rejection, Applicants submit a terminal disclaimer pursuant to 37 C.F.R. §1.321(c). By filing the terminal disclaimer, Applicants respectfully submit that all double-patenting rejections have been rendered moot and that claims 1-36 are in condition for allowance.

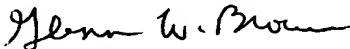
It should be noted that Applicants submit the terminal disclaimer solely to advance prosecution, without conceding that the double patenting rejection is properly based. In filing the terminal disclaimer, Applicants rely upon the ruling of the Federal Circuit that the filing of such a terminal disclaimer does not act as an admission, acquiescence, or estoppel on the merits of the obviousness issue. *Quad Environmental Tech v. Union Sanitary Dist.*, 946 F.2d 870, 874-875 (Fed. Cir. 1991).

The prior art made of record has been considered, but is not believed to affect the patentability of the presently pending claims.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all rejections and/or objections have been traversed, rendered moot, and/or accommodated, and that the pending claims 1-36 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at (770) 933-9500.

Respectfully submitted,


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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 02-24-2005



Signature -

Attachment(s): Terminal Disclaimer